

01/23/02  
JC931 U.S. PTO

BOX PATENT APPLICATION  
Attorney Docket No. 23057-XY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

J1017 U.S. PTO  
10/052498  
01/23/02

In re Application of  
PATIERNO et al.

Filed: January 23, 2002

For: **UTEROGLOBIN GENE THERAPY FOR EPITHELIAL CELL  
CANCER**

TRANSMITTAL LETTER

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and  
Trademark Office is the following:

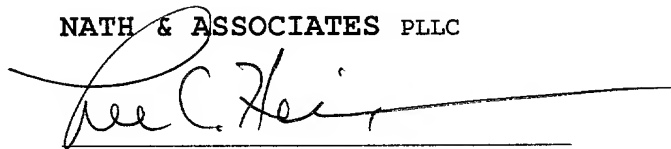
- (1) Transmittal Letter;
- (2) Filing form for Continuation Patent Application;
- (3) Copy of the Application as filed:  
    106 pages of text (specification and 73 claims)  
    1 page Abstract of the Disclosure  
    5 sheets of Drawings;
- (4) Copy of Original Declaration;
- (5) Preliminary Amendment;
- (6) Early Notification Serial Number Card;
- (7) Check No. 16046 in the amount of 1771.00.

Please charge any fee deficiency or credit any overpayment  
in connection with this filing to Deposit Account No. 14-0112.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

Date: January 23, 2002



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10052498-012302

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J1017 U.S. PTO

BOX PATENT APPLICATION  
Atty. Docket No.: 23057-XY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

J1017 U.S. PTO  
10/052498  
01/23/02

In re Application of:

PATIERNO et al.

Serial No.: Not yet assigned

Filing Date: January 23, 2002

Title: **UTEROGLOBIN GENE THERAPY FOR EPITHELIAL CELL CANCER**

FILING FORM

FOR CONTINUATION U.S. PATENT APPLICATION

Commissioner of Patents  
Washington, D.C. 20231

Sir:

1. This is a Request for filing a
- ☒ Continuation Application under:
    - ☒ 37 CFR § 1.53(b)(1)
    - ☐ Divisional Application under:
      - ☐ 37 CFR § 1.53(b)(1)
      - ☐ Continuation-In-Part (CIP) application
        - ☐ 37 CFR § 1.53(b)(2)

of **prior** ("parent") application:

Serial No: 09/556,467

Filed: April 21, 2000

Entitled: **UTEROGLOBIN GENE THERAPY FOR  
EPITHELIAL CELL CANCER**

2. ☒ \*Enclosed for application under 37 CFR §§ 1.53(b) are:
- 106 pages of text (specification, claims, abstract)
  - 73 claims
  - 5 sheets of drawings

3. The **present** application names the following inventor(s):

Steven R. PATIERNO, Michael J. MANYAK

\_\_\_\_ (37 CFR § 1.53--"CIP") The above-identified application (in which no payment of the Issue Fee, abandonment of or termination of proceedings has occurred) is hereby expressly abandoned as of the filing date of this new application.

The **Total Filing Fee** is calculated as follows:

\_\_\_\_ Enter the Amendment filed in the prior patent application on \_\_\_\_\_ prior to calculating the filing fee.

XX Enter the enclosed Preliminary Amendment prior to calculating the filing fee.

(Col 1)		(Col 2)		SMALL ENTITY		OR	NON-SMALL ENTITY	
TOTAL	NUMBER OF CLAIMS FILED		NUMBER OF EXTRA CLAIMS	RATE	FEE		RATE	FEE
	129	minus 20	109	x9=	981		x18=	0
INDEP	13	minus 3	10	x42=	420		x84=	0
BASE FILING FEE				+370=	370		+740=	0
<u>xx</u> Multiple Dependent Claims				+140=	0		+280=	0
				TOTAL	1,771	OR	TOTAL	0

X Applicant(s) is/are a "small entity". A Verified Statement Claiming Small Entity Status:

X was filed in the parent application, and small entity status is still proper and desired (Rules 60, 62 only);  
 \_\_\_\_ is filed herewith;  
 \_\_\_\_ will be filed at a later date.

X A check including the above-indicated filing fee is enclosed.

\_\_\_\_ A Petition for Extension of Time (to keep the parent case pending) is enclosed, with a check including the \$\_\_\_\_ extension fee.

\_\_\_\_ Assignment document(s) is/are submitted herewith, with a check including the recordation fee of \$40.00 per Assignment.

\_\_\_\_ No check is enclosed. A Declaration and Power of Attorney will be submitted at a later date pursuant to 37 CFR §§ 1.41, 1.53, together with a check for the "Total Filing Fee" calculated above and a surcharge under 37 CFR § 1.16(e).

X The prior application (Serial No. 09/556,467) is assigned of record to The George Washington University Medical Center, the Assignment being recorded on September 25, 2000, on Reel 011210, Frame(s) 0177.

☐ An original executed Declaration is enclosed.

☐ Foreign priority under 35 U.S.C. § 119 of \_\_\_\_\_ application(s) \_\_\_\_\_, filed \_\_\_\_\_, is hereby claimed. The certified priority paper(s):  
☐ was/were filed in the parent case;  
☐ is/are enclosed herewith;  
☐ will be submitted at a later date.

☒ The power of attorney in the prior application is to Gary M. Nath, Registration No. 26,965, Customer No. 20529.

☒ The power appears in the original papers in the prior application.

☒ Address all future communications to:

Gary M. Nath  
**NATH & ASSOCIATES PLLC**  
1030 15<sup>th</sup> Street, N.W.- 6<sup>th</sup> Floor  
Washington, D.C. 20005

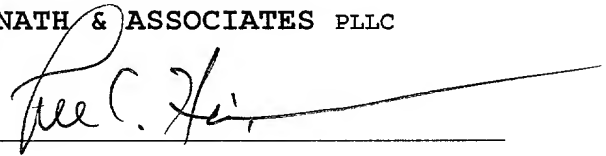
☐ If extensions of time under 37 CFR § 1.136 other than those provided herewith are required to prevent abandonment of the parent application, then such extensions of time are hereby petitioned to allow copendency of the parent and the present continuing application. The Commissioner is hereby authorized to charge fee deficiency under 37 CFR § 1.17, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

☒ The Commissioner is hereby authorized to charge any fee deficiency under 37 CFR §§ 1.16 and 1.17 which may be required, or credit any overpayment, to Deposit Account No. 14-0112. A duplicate copy of this Form is enclosed.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

Date: January 23, 2002



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GMN/TLJ/SMM\cont.form99.wpd

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